

JOURNAL OF THE SENATE

Thursday, April 26, 1951

193

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 25, 1951.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38.

A quorum present.

The following prayer was offered by the Senate Chaplain, Reverend Walter R. Faust:

"O, God, our help in ages past, our Counselor for today, our hope for tomorrow, we thank Thee for the bountiful favors bestowed upon our beloved land. As ancient Israel, so we are the recipients of Thy special grace. In like measure may our nation contribute strength, hope and gospel light, to the weary and oppressed of the world. As we convene this morning we pause, in the spirit of worship, to acknowledge our allegiance to Thee, and to seek Thy unerring counsel in the decisions of the hour, in the Savior's name we pray, our mighty Counselor and Prince of Peace. Amen."

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, April 24, 1951, was further corrected as follows:

Page 4, column 2, line 30, strike out the word "duties" and insert in lieu thereof the word "deputies."

Also—

Page 10, column 1, between line 7 and line 8, insert the following:

"Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 24."

Also—

Page 12, column 2, line 1, counting from the bottom of the column, strike out the figures "86" and insert in lieu thereof the figures "156."

And as further corrected was approved.

The Senate daily Journal of Wednesday, April 25, 1951, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Collins, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 215—A bill to be entitled An Act amending Subsection (10) of Section 236.04, Florida Statutes, relating to education, teachers, minimum foundation program, instructional units and personnel minimum and maximum allowed or required.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Collins, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Resolution:

S. J. R. No. 218—A Joint Resolution proposing an amendment to Section 7 of Article X of the State Constitution exempting homesteads from taxation by providing that such homesteads shall not be exempt from taxes for school purposes.

—and recommends that it do pass.

And the Resolution contained in the preceding report was referred to the Committee on Constitutional Amendments under the original joint reference.

Senator Crary, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bills:

S. B. No. 330—A bill to be entitled An Act relating to excusing witnesses from testifying or producing evidence that may incriminate such witnesses; providing for a waiver of immunity by a witness; and repealing Section 932.29 of Florida Statutes 1949 relating to excusing witnesses from testifying in certain prosecutions on the grounds of self-incrimination, and all other laws in conflict therewith.

S. B. No. 344—A bill to be entitled An Act amending Subsection (2) of Section 732.16 and Subsection (1) of Section 732.19, Florida Statutes, relating to probate law and providing the time in which appeals may be made.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 382—A bill to be entitled An Act to amend Chapter 381.09, Florida Statutes, 1941, relating to compensation of board members and State Health Officer.

—and recommends that it do pass with the committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was referred to the Committee on Appropriations under the original joint reference.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 384—A bill to be entitled An Act authorizing the Florida State Board of Health to adopt and enforce reasonable rules and regulations defining, licensing and regulating the establishment and operation of maternity homes; day nurseries; baby boarding homes; orphanages; nursing homes; convalescing homes; homes for the aged and similar institutions.

—and recommends that it do pass with the committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

H. B. No. 30—A bill to be entitled An Act for the relief of the City of Bonifay by providing a refund for an overpayment

of interest on bonds by said city to the State Treasurer on certain bonds held by the State Board of Education.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Baynard, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 71—A bill to be entitled An Act relating to medical school education in the State of Florida; authorizing the Board of Control to pay to the first approved and accredited medical school established in Florida the sum of three thousand dollars per year for each qualified Florida student enrolled; defining the necessary qualifications of a medical school and medical students to receive benefits; regulating the expenditure of such funds by said school; limiting the number of students from each county and appropriating the sum of two hundred twenty-five thousand dollars to the Board of Control to carry out the provisions of the Act.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

H. B. No. 167—A bill to be entitled An Act suspending licenses issued by the State Beverage Department and the State Hotel Commission for places that have been deprived of communication facilities by operation of the laws prohibiting bookmaking or other gambling or by operation of any rule of the Florida Railroad and Public Utilities Commission during the time the communication facilities are denied such places; requiring the Florida Railroad and Public Utilities Commission to notify the State Beverage Department and the State Hotel Commission of the termination of communication facilities.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

S. B. No. 207—A bill to be entitled An Act relating to the closing of certain places of business licensed to retail alcoholic beverages in Florida immediately preceding and on the day of and succeeding any State, county, city, primary, general or special election; prohibiting the sale of alcoholic beverages by all other places licensed to sell at retail during the above period of time; providing the location of the places required to comply; providing penalties for the violation thereof; repealing all laws in conflict herewith; providing the effective date.

—and recommends that the same do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

S. B. No. 254—A bill to be entitled An Act authorizing and directing the establishment, construction, equipping and operation of a hospital for the care and treatment of chronic alcoholics, in Highlands County, Florida; designating same as Florida State Hospital for Alcoholism; providing for the management, control and operation thereof; providing for the procedure for commitment of chronic alcoholics to such hospital; authorizing acceptance of donations and gifts for said hospital; providing for the assessment of costs of commitment proceedings and maintenance of patients in said hospital; providing for co-operation with the federal government and its agencies; and providing for an appropriation out of the additional alcoholic beverage tax imposed by Chapter 25340, Laws of Florida, Acts of 1949; repealing Sections 394.29

to 394.36, both inclusive, Florida Statutes, 1949; and repealing all laws in conflict herewith.

—and recommends that it do pass with the committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was referred to the Committee on Finance and Taxation under the original joint reference.

Senator Baynard, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bills:

S. B. No. 130—A bill to be entitled An Act relating to the construction, acquisition, expansion, equipping, rehabilitation and conversion of armory facilities in this State, appropriating funds therefor and empowering the State Armory Board to cooperate with and enter into contracts with federal, State, county and municipal agencies in carrying out the provisions of the Act.

S. B. No. 255—A bill to be entitled An Act to amend Section 476.18, Florida Statutes, relating to the compensation of the secretary and members of the State Barbers Sanitary Commission.

—and recommends that they do pass with committee amendments as attached thereto.

And the Bills contained in the preceding report, together with the Committee amendments attached thereto, were placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 348—A bill to be entitled An Act to amend Sections 30.23 and 30.25, Florida Statutes, relating to sheriffs and constables, their fees and compensation, also allowance for feeding prisoners.

S. B. No. 169—A bill to be entitled An Act to amend Section 205.161 (2), Florida Statutes, by extending certain license tax exemptions to the unmarried widow of a man who lost his life while in the military service of the United States.

S. B. No. 339—A bill to be entitled An Act subjecting all tangible personal property as defined by Section 200.01, Florida Statutes 1949, located in the State of Florida between January 1 and March 31 of each year to taxation in the county in which the same is situated; repealing all laws in conflict herewith (except Section 200.44, Florida Statutes 1949) and providing when this Act shall become effective.

S. B. No. 341—A bill to be entitled An Act providing that no person shall be entitled to the homestead exemption from taxation under Section 192.12, Florida Statutes 1949 unless such person at the time of making such application shall have been a legal resident of the State of Florida for a period of one year prior thereto; providing that the assessors of taxes of the counties of Florida shall require proof of such residence before granting such applications.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Boyle, Chairman of the Committee on Alcoholic Beverages, reported that the Committee had carefully considered the following Bill:

S. B. No. 208—A bill to be entitled An Act amending Subsection (2) of Section 561.46 of Florida Statutes, relating to beverage law; excise tax on wines manufactured in Florida.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 104—A bill to be entitled An Act requiring all producers of phosphate to secure a license, and imposing a

license tax on such producers of phosphate; providing for a severance tax on the mining or producing of phosphate; providing for the administration of this Act; and creating an appropriation for the purpose of carrying out the terms of this Act; providing for a fund to be derived from the net proceeds of the moneys collected from the license and severance taxes which shall be disbursed by the State Board of Control for the building, equipping and maintaining of a medical and a dental school in Gainesville, Florida, and other necessary additional buildings required by University of Florida, Florida State University and Florida A. & M. College; providing for the creation and enforcement of a lien for the payment of the taxes; and providing penalties for the violation of this Act.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table without being referred to the Committee on Oil and Natural Resources under the original joint reference.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 168—A bill to be entitled An Act exempting veterans with a permanent total service connected disability which results in paralysis of the lower extremities from any taxation on real estate, including residence thereon, acquired wholly or in part through financial assistance authorized by the Veterans Administration of the United States Government. But no property shall be exempt from assessments nor is such exemption provided herein in addition to homestead exemption.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 432—Affecting Gadsden County.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 449—Affecting Palm Beach County.

—and recommends that the same do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 450—Affecting Palm Beach County.

—and recommends that the same do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Tucker, Chairman of the Committee on Corporations, reported that the Committee had carefully considered the following Bill:

S. B. No. 388—A bill to be entitled An Act to amend Section 9 of Chapter 10096, Laws of Florida, Acts of 1925, entitled "An Act relating to corporations" and being Section 612.09, Florida Statutes 1949, and which Section relates to the power of a corporation to issue stock, by providing that shares of preferred or special stock of any class may be divided by number from time to time into and issued in designated

series, and, such shares of preferred or special stock of any class or series thereof shall provide for dividends at such rates, on such conditions and payable at such times and shall be subject to redemption rights at such price or prices and at such time or times as shall be stated and expressed with respect thereto either in the certificate of incorporation or in any amendment thereof or in the resolution or resolutions providing for the issue of such stock adopted by the Board of Directors or duly constituted executive committee of the corporation; providing that all laws or parts of laws in conflict with this Act are hereby repealed; and providing for the effective date of this Act.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolution:

S. J. R. No. 7—A Joint Resolution proposing a Constitutional Amendment relating to the jurisdiction, powers and duties of State Attorneys, to the number, appointment, tenure, powers, duties and compensation of Assistant State Attorneys, and to the abolishing of other prosecuting offices and positions.

—and recommends that it do pass with Committee amendments as attached thereto.

And the Resolution contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolution:

S. J. R. No. 247—A Joint Resolution proposing an amendment of Section Eleven (11) of the Declaration of Rights of the Constitution of Florida, relating to the rights of an accused in criminal prosecutions, so as to provide that the Legislature may enact statutes regulating and providing for the place of trial in certain specified instances.

—and recommends that it do pass.

And the Resolution contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolution:

S. J. R. No. 117—A Joint Resolution proposing an Amendment to Article VIII, Section 1, of the Constitution of Florida, relating to counties as political subdivisions of State.

—and the Committee recommends that the Committee substitute therefor, as returned herewith, do pass.

And the Resolution contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Sanchez, Chairman of the Committee on Congressional Redistricting, reported that the Committee had carefully considered the following Bills:

S. B. No. 42—A bill to be entitled An Act dividing the State of Florida into eight congressional districts, and prescribing and setting forth the territorial limits and boundaries of each district.

S. B. No. 416—A bill to be entitled An Act dividing the State of Florida into eight (8) congressional districts; prescribing and setting forth the territorial limits and boundaries of each district; providing for the contingency of creation of new counties; and repealing all laws in conflict herewith.

—and the Committee recommends that the Committee substitute therefor, as returned herewith, do pass.

And the Bills contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator King, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 111—A bill to be entitled An Act to amend Section 324.02, Section 324.04, Section 324.05, Section 324.14 and Section 324.15 of Florida Statutes 1949, and to repeal Section 324.12 of Florida Statutes 1949, all of same being a part of the law relating to proof of financial responsibility by owners and operators of motor vehicles; prescribing the duties, powers and authority of the insurance commissioner; providing for the suspension and revocation of licenses and motor vehicle registration and providing for other matters in connection with the financial responsibility of owners and operators of motor vehicles, and providing penalties for violation of said law.

—and the Committee recommends that the Committee substitute therefor, as reported herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 385—A bill to be entitled An Act relating to public health; requiring the compulsory isolation and hospitalization of certain persons infected with tuberculosis; providing the procedure for notice of hearing and examination and the commitment of such persons to hospitals operated by the State Tuberculosis Board; providing for appeals from orders of commitment; providing for paying expenses incurred under this Act; and repealing Chapter 25241, Laws of Florida, Acts of 1949, and all other laws or parts of laws in conflict herewith.

—and the Committee recommends that the Committee Substitute therefor, as returned herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Carroll, Chairman of the Committee on Banking and Building and Loans, reported that the Committee had carefully considered the following Bills:

H. B. No. 227—A bill to be entitled An Act authorizing the destruction of certain bank records after a period of ten years, and limiting the liability of banks destroying records after the expiration of such period.

H. B. No. 229—A bill to be entitled An Act authorizing banks and trust companies to reproduce by photographic or microphotographic process certain banking records and other documents; and making such photographs or microphotographs and reproductions therefrom admissible in evidence.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Baynard, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 336—A bill to be entitled An Act relating to the use of the services of retired justices of the supreme court and compensation and allowances therefor.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Baynard, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bills:

S. B. No. 303—A bill to be entitled An Act to amend subsection (2) of Section 440.44, Florida Statutes 1949, relating to the Industrial Commission; per diem and expense allowance of the members of the Industrial Commission under the Florida Workmen's Compensation Act.

S. B. No. 394—A bill to be entitled An Act authorizing the Comptroller to assist in codifying the banking laws of the State of Florida, and making an appropriation therefor.

—and recommends that they do not pass.

And the Bills contained in the preceding report were laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

S. B. No. 253—A bill to be entitled An Act creating a small claims court in justice of the peace district numbers one, two and three in all counties of the State of Florida having a population of not less than 20,200 nor more than 22,000 according to the last official census; providing for the justice of peace to be the judge of said court; prescribing for the pleading, practice and service of notice of proceeding therein; providing for a clerk and prescribing his duties.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk.

And Senate Bill No. 253, contained in the above report, was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

S. B. No. 349—A bill to be entitled An Act prescribing the compensation of County Judges as judges of the county courts of their respective counties in counties in the State of Florida having a population of not less than 36,400 and not more than 37,100, according to the last preceding Federal census.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk.

And Senate Bill No. 349, contained in the above report, was ordered certified to the House of Representatives.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

S. B. No. 24.

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives and presented to the Governor on April 26, 1951, for his approval.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

April 26, 1951.

Your Enrolling Clerk, to whom was referred—

H. B. No. 82.

H. B. No. 216.

H. C. R. No. 11.

—begs leave to report same have been properly enrolled, signed in open session by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk.
of the Senate.

**INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS
AND JOINT RESOLUTIONS**

By Senator Johnson—

S. B. No. 489—A bill to be entitled An Act to amend Section 782.04, Florida Statutes 1941, relating to murder.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Johnson—

S. B. No. 490—A bill to be entitled An Act to amend Section 811.11, Florida Statutes 1941, relating to horse or cattle stealing; to amend Section 811.12, Florida Statutes 1941, relating to second conviction of horse or cattle stealing; to amend Section 811.13, Florida Statutes 1941, relating to larceny of sheep and goats; to amend Section 811.14, Florida Statutes 1941, relating to larceny of hogs; and to amend Section 811.15, Florida Statutes 1941, relating to larceny of hogs, second offense.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Johnson—

S. B. No. 491—A bill to be entitled An Act to amend Section 922.04, Florida Statutes, 1941, relating to application for discharge by indigent prisoner who has been sentenced to pay a fine or fine and costs and who has been confined in prison sixty days solely for the non-payment of such fine or fine and costs, and relating to the discharge of such prisoner.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Johnson—

S. B. No. 492—A bill to be entitled An Act relating to autopsies; authorizing State attorneys and county solicitors to have autopsies performed upon dead bodies found within the county, before interment, when in their opinion such autopsies are necessary in order to determine whether death resulted from a criminal act or criminal negligence; providing that the physicians performing such autopsies shall be paid for their services from the county general fund, upon approval of their bills by the State attorney or county solicitor at whose direction the autopsies are performed; providing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Johnson—

S. B. No. 493—A bill to be entitled An Act to provide additional compensation for prosecuting attorneys appointed or elected to prosecute criminal cases before the county judge's court.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Shivers—

S. B. No. 494—A bill to be entitled An Act to amend Section 341.03, Florida Statutes, relating to compensation and allowances of chairman and members of State Road Department.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Appropriations, in the order named.

By Senator King—

S. B. No. 495—A bill to be entitled An Act to regulate the use of television sets in motor vehicles in the State of Florida and providing penalty for violation.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senators Gautier (28th) and Baynard—

S. B. No. 496—A bill to be entitled An Act authorizing the investment by the State Board of Administration of certain State Road Department funds and providing for the use of earnings from such investment.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senators Crary, Lewis, Morrow, King and Smith—

S. B. No. 497—A bill to be entitled An Act amending Section 440.12, Florida Statutes 1949, relating to the amount of compensation payable for disability under the terms of the Florida Workmen's Compensation Act.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Crary, Lewis, Morrow, King and Smith—

S. B. No. 498—A bill to be entitled An Act amending subsection (1) of Section 440.15 and repealing subsection (13) of Section 440.20, Florida Statutes 1949, relating to compensation payments for permanent total disability; defining such disability and repealing existing limitation of benefit period.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Moore—

S. B. No. 499—A bill to be entitled An Act dividing the State of Florida into eight (8) congressional districts; prescribing and setting forth the territorial limits and boundaries of each district; providing for the contingency of creation of new counties; and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Congressional Redistricting.

By Senators Collins and Clarke—

S. B. No. 500—A bill to be entitled An Act amending Section 26.23, Florida Statutes, relating to terms for the second judicial circuit; providing for a change in the terms.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Sturgis—

S. B. No. 501—A bill to be entitled An Act for the relief of Iva Mae Porter, widow, Marion County, Florida, and making an appropriation therefor, as partial compensation for the loss of her husband, Edward Porter, Jr., who, as sheriff of Marion County, Florida, was killed while performing services in the line of duty.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By the Committee on Finance and Taxation—

S. B. No. 502—A bill to be entitled An Act to repeal Chapter 204, Florida Statutes, 1949, relating to chain store license taxes.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Tucker—

S. B. No. 503—A bill to be entitled An Act repealing Chapter 11319, Laws of Florida, Acts of 1925, entitled, "An Act to provide the nomination in primaries of candidates for office of county commissioner and members of the Board of Public Instruction, by the voters of the county at large, in Wakulla County, Florida."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 503 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Tucker moved that the rules be waived and Senate Bill No. 503 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 503 was read the second time by title only.

Senator Tucker moved that the rules be further waived and Senate Bill No. 503 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 503 was read the third time in full.

Upon the passage of Senate Bill No. 503 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 503 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Dayton and Baynard—

S. B. No. 504—A bill to be entitled An Act relating to campaign expenses and contributions; providing for campaign treasurers, campaign depositories, filing notice of contributions; State Attorney's investigation and penalty.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dayton—

S. B. No. 505—A bill to be entitled An Act amending Section 372.61, Florida Statutes, 1949, relating to reports and remittances of county judges.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Franklin—

S. B. No. 506—A bill to be entitled An Act amending Section 134.03, Florida Statutes, 1949, relating to contributions to the county officers and employees retirement fund, and providing that county officers and employees who have previously rejected the benefits of the county officers and employees retirement system shall have until January 1, 1952, to qualify under certain circumstances and come within the provisions of the said retirement system; also providing that all persons who were officers or employees of any county of the State of Florida on April 1, 1951 and who were also such officers or employees at any time during the calendar years 1940 through 1945 shall be entitled to credit for all aggregate years of service to the county prior to July 1, 1945, providing such officers or employees make certain payments into the county officers and employees retirement fund within two years from the effective date of this Act, but no such employee may retire until he has made contribution to said fund for five or more years as provided in this law.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Franklin—

S. B. No. 507—A bill to be entitled An Act amending Section 121.03, Florida Statutes, 1949, relating to contributions to the State officers and employees retirement fund, and providing that State officers and employees who have previously rejected the benefits of the State officers and employees retirement system shall have until January 1, 1952, to qualify under certain circumstances and come within the provisions of the said retirement system; also providing that all persons who were officers or employees of the State of Florida on April 1, 1951 and who were also such officers or employees

at any time during the calendar years 1940 through 1945 shall be entitled to credit for all aggregate years of service to the State prior to July 1, 1945, providing such officers or employees make certain payments into the State officers and employees retirement fund within two years from the effective date of this Act, but no such employee may retire until he has made contribution to said fund for five or more years as provided in this law.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Morrow—

S. B. No. 508—A bill to be entitled An Act making legislative findings regarding the assessment for taxation of the class of tangible personal property considered as goods, wares and merchandise, and commonly known as stock in trade; declaring that the assessment of such property at full cash value is unjust and discriminatory; providing for the assessment of such property for taxation on the basis of fifty per cent of the inventory value thereof or fifty per cent of the average inventory value thereof for the previous year; repealing all laws and parts of laws in conflict herewith and fixing an effective date.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Crary—

S. B. No. 509—A bill to be entitled An Act to authorize savings and loan associations to reproduce by photographic or microphotographic process certain records and other documents, and making such photographs or microphotographs and reproductions therefrom admissible in evidence.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Boyle—

S. B. No. 510—A bill to be entitled An Act to amend Section 29.04, Florida Statutes, relating to salaries, expenses and duties of court reporters by allowing additional compensation when a court reporter serves as secretary to judge.

Which was read the first time by title only and referred to the Committee on Judiciary "B" and the Committee on Appropriations, in the order named.

By Senator Brackin—

S. B. No. 511—A bill to be entitled An Act amending Chapter 25754, Laws of Florida, Acts of 1949, relating to the charter of the City of Crestview, by adding a new section granting the city additional powers concerning franchises and the disposition of proceeds of consideration or remuneration for granting new franchises before old franchises expire and providing for revenue certificates issued against such expected consideration or remuneration; providing referendum.

Which was read the first time by title only.

Senator Brackin moved that the rules be waived and Senate Bill No. 511 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 511 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 511 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 511 was read the third time in full.

Upon the passage of Senate Bill No. 511 the roll was called and the vote was:

Yeas—38.

Mr. President	Beall	Carroll	Davis
Ayers	Boyle	Clarke	Dayton
Baker	Brackin	Collins	Franklin
Baynard	Branch	Crary	Gautier (28th)

Gautier (13th)	Lewis	Pope	Shivers
Johns	Lindler	Ripley	Smith
Johnson	McArthur	Rodgers	Tucker
Johnston	Moore	Rogells	Wright
King	Morrow	Sanchez	
Leaird	Pearce	Shands	

Nays—None.

So Senate Bill No. 511 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Brackin—

S. B. No. 512—A bill to be entitled An Act to amend Chapter 465, Florida Statutes, relating to pharmacy; providing a uniform pharmacy Act; defining certain words and terms; providing for a Board of Pharmacy with powers to license and regulate pharmacists and to suspend or revoke such licenses; prescribing penalties for violations of this Act or failure to perform certain duties prescribed; providing for making rules and regulations and for inspections by the Board of Pharmacy; providing for expenditure of funds collected; restricting the manufacture, sale and distribution of drugs, cosmetics and medical supplies as defined; requiring certain permits from and the renewal thereof by the board; providing for the enforcement of this Act by the State Board of Health; and repealing Sections 465.04, 465.05, 465.10, 465.11, 859.03 and 859.04, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Morrow—

S. B. No. 513—A bill to be entitled An Act to declare, designate and establish certain State roads in Palm Beach County, Florida.

Which was read the first time by title only.

Senator Morrow moved that the rules be waived and Senate Bill No. 513 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 513 was read the second time by title only.

Senator Morrow moved that the rules be further waived and Senate Bill No. 513 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 513 was read the third time in full.

Upon the passage of Senate Bill No. 513 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 513 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—

S. B. No. 514—A bill to be entitled An Act to extend and enlarge the corporate limits of the City of Quincy, Florida in Gadsden County, Florida; to prescribe the liability of the inhabitants and property within the annexed territory for municipal taxation and to give the said City of Quincy jurisdiction, power and authority, over the territory embraced in said extension and enlargement and over the inhabitants

thereof and providing for the application of the resolutions, laws and ordinances of the City of Quincy to such annexed territory.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 514 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johnson moved that the rules be waived and Senate Bill No. 514 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 514 was read the second time by title only.

Senator Johnson moved that the rules be further waived and Senate Bill No. 514 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 514 was read the third time in full.

Upon the passage of Senate Bill No. 514 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 514 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnston—

S. B. No. 515—A bill to be entitled An Act to declare, designate and establish a certain State road in Hernando County, Florida.

Which was read the first time by title only.

Senator Johnston moved that the rules be waived and Senate Bill No. 515 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 515 was read the second time by title only.

Senator Johnston moved that the rules be further waived and Senate Bill No. 515 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 515 was read the third time in full.

Upon the passage of Senate Bill No. 515 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 515 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives

By Senator Johnston—

S. B. No. 516—A bill to be entitled An Act to declare, designate and establish a certain State road in Hernando County Florida.

Which was read the first time by title only.

Senator Johnston moved that the rules be waived and Senate Bill No. 516 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 516 was read the second time by title only.

Senator Johnston moved that the rules be further waived and Senate Bill No. 516 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 516 was read the third time in full.

Upon the passage of Senate Bill No. 516 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 516 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Branch—

Senate Joint Resolution No. 517:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX OF THE FLORIDA CONSTITUTION, BY ADDING THERETO AN ADDITIONAL SECTION AUTHORIZING THE CREATION AND ESTABLISHMENT OF A STATE TAX COMMISSION AND THE FIXING OF ITS POWERS, DUTIES, AUTHORITY AND JURISDICTION IN CONNECTION WITH TAXATION UNDER THE LAWS OF THIS STATE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

The following amendment, authorizing the creation and establishment of a State Tax Commission, to Article IX of the Florida Constitution, by adding thereto an additional section, to be numbered by the Secretary of State, is agreed to and shall be submitted to the electors of this State for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, 1952, to-wit:

Section Legislature may create State Tax Commission and fix its powers, duties, etc.—The Legislature may create and establish a State Tax Commission, with such powers, duties, authority and jurisdiction, in connection with taxation, as the said Legislature determines. In this connection the Legislature may provide for the qualifications of and the method of selecting the members of the commission and for their terms of office, the length of which shall be wholly within the discretion of the Legislature.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Sturgis—

S. B. No. 518—A bill to be entitled An Act fixing and prescribing the qualifications of freeholder electors who shall be eligible to participate in any bond election called and held by any taxing authority of Marion County, Florida, including the Board of County Commissioners, the Board of Public Instruction of said county, or any special tax school district thereof, and providing for the registration of such electors.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 518 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 518 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 518 was read the second time by title only.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 518 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 518 was read the third time in full.

Upon the passage of Senate Bill No. 518 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 518 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE
April 25, 1951

Honorable Wallace E. Sturgis,
President of the Senate,
State Capitol
Sir:

I have the honor to inform you that I have today filed with the Secretary of State the following Acts, which originated in your Honorable Body, Regular Session, 1951, the same having remained in my office for the full Constitutional period of five days and will become laws without my approval:

S. B. No. 37—RELATING TO PUBLIC ACCOUNTING.

S. B. No. 155—RELATING TO FLORIDA STATUTES.

Respectfully,
FULLER WARREN,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 25, 1951.

*Hon. Wallace E. Sturgis,
President of the Senate.
Sir:*

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed Messrs. W. J. Hendry of Okeechobee, M. B. Smith of Seminole and John L. McFarlin, Jr., of Jackson as the Committee on the part of the House pursuant to the provisions of:

By Mr. Henderson of Leon—

House Concurrent Resolution No. 8:

A CONCURRENT RESOLUTION FOR THE APPOINTMENT OF A COMMITTEE OF MEMBERS OF THE HOUSE AND SENATE TO CONFER WITH OFFICIALS OF THE STATE OF FLORIDA AND OF THE STATE OF GEORGIA AS TO COMMERCE BETWEEN THE STATES.

WHEREAS, There is now pending before the Legislature of the State of Florida several bills affecting trade between Florida and other States; and

WHEREAS, The Commissioner of Agriculture of the State of Georgia and the Committee of the Legislature of the State of Georgia have asked to be heard on several of the measures now pending before the Legislature of the State of Florida; and

WHEREAS, The State of Georgia has thrown up through various devices, trade barriers against commerce from Florida; and

WHEREAS, The Legislature of the State of Florida abhors any restrictions of trade between the several States; and

WHEREAS, It is the desire of the Legislature of the State of Florida to work out any trade barrier differences between the State of Georgia and the State of Florida so that free commerce might apply between various States; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES. THE SENATE CONCURRING:

That a committee composed of five members of the Legislature, three of which shall be appointed by the Speaker of the House of Representatives and two of which shall be appointed by the President of the Senate, meet with Hon. Tom Lindler, Commissioner of Agriculture of the State of Georgia, the Committee of the Legislature of the State of Georgia, and Hon. Nathan Mayo, Commissioner of Agriculture of the State of Florida, for the purpose of working out differences of trade barriers so that commerce may flow between our neighborly states for the benefit of its citizens.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 26, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators King, Baker, Crary, Dayton, Baynard, Boyle, Johnston and Rodgers—

S. B. No. 109—A bill to be entitled An Act to amend sub-paragraph (7), (23), (27) and (36) of Section 601.03; and 601.03 by the addition of a new sub-paragraph defining Temple Oranges; sub-paragraph (3) of Section 601.13; sub-paragraph (2) of Section 601.14; sub-paragraph (3) (a) of Section 601.15; sub-paragraph (3) (c) of Section 601.15; sub-paragraph (7) of Section 601.15; Section 601.16, 601.21 and 601.22; the first paragraph of Section 601.23; sub-paragraphs (a) (b) (e) and (f) of paragraph (1) of Section 601.28; Sections 601.49, 601.50; 601.51, 601.52, 601.61 and sub-paragraphs (2) and (3) of Section 601.0104 of the Florida Statutes involving parts of

the Florida Citrus Code of 1949, being sub-paragraphs (7) (23) (27) and (36) of Section 3; and Section 3 also by the addition of a new sub-paragraph defining Temple Oranges; sub-paragraph 3 of Section 13; sub-paragraph (2) of Section 14; sub-paragraph (3) (a) of Section 15; sub-paragraph (3) (c) of Section 15; sub-paragraph (7) of Section 15; Sections 16, 21 and 22 and the first paragraph of Section 23; sub-paragraphs (1), (2), (5) and (6) of Section 28; Sections 49, 50, 51, 52 and 61; and sub-paragraphs (2) and (3) of Section 104, of Chapter 25149, Laws of Florida 1949, known as the Florida Citrus Code of 1949; and providing for an effective date.

Also—

By Senators King and Baker—

S. B. No. 107—A bill to be entitled An Act ratifying, confirming, and validating the continued use of the one per cent (1%) of the General Inspection Fund and the Florida Citrus Advertising Fund for the rental of the Florida Citrus Building at Winter Haven, Florida, the proceeds thereof being used to retire the certificates of indebtedness issued for the construction of said building.

Respectfully,

LAMAR BLEDSOE.

Chief Clerk, House of Representatives.

And Senate Bills Nos. 109 and 107, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 26, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Carlton of Duval—

H. B. No. 240—A bill to be entitled An Act to amend Section 603.03, Florida Statutes, relating to the salary and expenses of the State Marketing Commissioner of Florida and his deputies, assistants, and employees.

Also—

By Mr. Carlton of Duval—

H. B. No. 248—A bill to be entitled An Act amending Paragraph (b) of Subsection (1) of Section 733.20, Florida Statutes, relating to payment of funeral expenses of decedent in probate proceedings.

Also—

By Mr. Smith of Polk—

H. B. No. 261—A bill to be entitled An Act to extend the time within which certain registrants who had commenced their preparation for the State Bar examination for admission to practice law before the adoption of amendment to Rule I by the Supreme Court on December 9, 1941, relative to admission of attorneys to the practice of law.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE.

Chief Clerk, House of Representatives.

And House Bill No. 240, contained in the above Message, was read the first time by title only and referred to the Committee on Agriculture and Livestock and the Committee on Appropriations, in the order named.

And House Bill No. 248, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

And House Bill No. 261, contained in the above Message,

was read the first time by title only and referred to the Committee on Judiciary "B".

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 26, 1951.

*Hon. Wallace E. Sturgis,
President of the Senate.
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Simpson of Jefferson—

H. B. No. 95—A bill to be entitled An Act providing for the appointment or employment of an assistant secretary or secretaries for the State Board of Medical Examiners and defining his powers, duties and authority.

Also—

By Mr. Simpson of Jefferson—

H. B. No. 96—A bill to be entitled An Act providing a method for proving that a person is or is not duly licensed and qualified to practice any of the healing arts, or to practice dentistry, pharmacy or nursing under the statutes and laws of the State of Florida.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 95, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 95 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 96, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 96 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 26, 1951.

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Andrews and Kirkland of Orange, Smith of Polk, Ayres of Marion, Johnson of Hillsborough—

H. B. No. 40—A bill to be entitled An Act amending Section 115.07, Florida Statutes, relating to leaves of absence of public officers and employees for military or naval duty.

Also—

By Mr. Simpson of Jefferson—

H. B. No. 90—A bill to be entitled An Act amending Section 458.05, Florida Statutes, and relating to applications to take the medical examinations in this State; the qualifications necessary to admit applicants to such examinations; penalties for practicing medicine without a license; and matters in connection therewith.

Also—

By Mr. Simpson of Jefferson—

H. B. No. 91—A bill to be entitled An Act amending Section 458.08, Florida Statutes, and relating to the approval and classification of medical schools and colleges, and of hospitals, by the Board of Medical Examiners.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 40, contained in the above Message, was read the first time by title only and referred to the Committee on Veterans Affairs.

And House Bill No. 90, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 90 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 91, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 91 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 26, 1951.

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, as amended—

By Messrs. Haley and Tate of Sarasota, Smith, Surles and Murray of Polk, Johnson and Moody of Hillsborough, Fascell and Okell of Dade, Sweeny and Cobb of Volusia, Courtney of Bay, Phillips of Hernando, Fuqua of Manatee, Bryant of Marion, David of Broward, Beasley of Walton, Tapper of Gulf, Summers of Liberty, MacWilliam of Indian River, Payne of Pasco, Boyd of Lake, Hathaway of Charlotte, Smith of DeSoto, Mitts of Lee and Cramer of Pinellas—

H. B. No. 130—A bill to be entitled An Act to regulate or prohibit the wearing of a mask, hood or any device whereby any portion of the face is so hidden, concealed or covered as to conceal the identity of the wearer while upon the public ways in this State or while upon property of any municipality or county in this State or while upon the property of the State; prohibiting the demanding of entrance or the entrance upon the premises of another while wearing the same; prohibiting the holding of a meeting or demonstration on the property of another while wearing the same unless by written permit of the owner or occupier of the property; providing for certain exemptions from the Act; prohibiting the placing of or causing to be placed of burning or flaming crosses or exhibits of which the same are a real or simulated part in a public place; to prohibit the doing of the same on private property without first obtaining written permission of the property owner or occupier to so do; prohibiting the placing of or causing to be placed anywhere in this State an exhibit with the intent of intimidating any person; prohibiting the placing of or the causing to be placed any exhibit anywhere in this State by a person wearing a mask or any device whereby the face is so covered as to conceal the identity of the wearer; providing for the punishment for violations of this Act as crimes; defining the term "public place"; providing for the separability of the provisions of this Act; and for other purposes, including the repeal of all inconsistent law or laws.

Also—

By Messrs. Akridge and Burton of Broward, and Simpson of Jefferson—

H. B. No 274—A bill to be entitled An Act amending Sub-section (13) of Section 230.23 by adding thereto a new paragraph to be designated as paragraph (e) relating to county school system; powers and duties of county school board; setting up and defining tax areas and providing for issuing of bonds for certain school purposes as provided by Section 17, Article XII, Florida Constitution; method of making and financing improvements for school purposes; providing this Act shall not disturb or affect minimum foundation law but is separate and apart therefrom; excluding counties having over 200,000 population according to the last official Federal census.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 130, contained in the above Message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 130 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 274, contained in the above Message, was read the first time by title only and referred to the Committee on Education.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 26, 1951.

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Simpson of Jefferson—

H. B. No. 92—A bill to be entitled An Act amending Section 458.10, Florida Statutes, relating to the amount of fees to be paid in connection with applications to take the medical examinations in this State.

Also—

By Mr. Simpson of Jefferson—

H. B. No. 93—A bill to be entitled An Act amending Section 458.12, Florida Statutes, and adding three new and additional Sections to Chapter 458, Florida Statutes, to be known and designated as Sections 458.121, 458.122 and 458.123, all relating to the revocation, suspension, annulment and denial of licenses issued or to be issued under said Chapter 458, Florida Statutes; providing the grounds therefor and the procedure in connection therewith and for appeals from decisions and orders of the board in connection therewith.

Also—

By Mr. Simpson of Jefferson—

H. B. 94—A bill to be entitled An Act amending Section 458.13, Florida Statutes, and defining medical practice, fixing certain limitations upon the practice of medicine in this State, and exempting certain things from the operation of Chapter 458, Florida Statutes.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 92, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 92 be placed on the Calendar of Bills on Second Reading without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 93, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 93 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 94, contained in the above Message, was read the first time by title only.

Senator Brackin moved that the rules be waived and House Bill No. 94 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 26, 1951.

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Patton of Franklin and Cramer of Pinellas—

H. B. No. 112—A bill to be entitled An Act to amend Section 205.161(2), Florida Statutes, by extending certain license tax exemptions to the unmarried widow of a man who lost his life while in the military service of the United States.

Also—

By Messrs. Patton of Franklin and Cramer of Pinellas—

H. B. No. 113—A bill to be entitled An Act exempting veterans with a permanent total service connected disability which results in paralysis of the lower extremities from any taxation on real estate, including residence thereon, acquired wholly or in part through financial assistance authorized by the Veterans Administration of the United States Government. But no property shall be exempt from assessments nor is such exemption provided herein in addition to homestead exemption.

Also—

By Mr. Melvin of Santa Rosa—

H. B. No. 213—A bill to be entitled An Act amending Sub-section (1) of Section 733.16 and Subsection (2) of Section 733.18, Florida Statutes, relating to the Probate Law, when claims are filed against the estate; providing for notice to the personal representative, the claimant and the objector.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives

And House Bill No. 112, contained in the above Message, was read the first time by title only.

Senator Shands moved that the rules be waived and House Bill No. 112 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 113, contained in the above Message,

was read the first time by title only and referred to the Committee on Veterans Affairs and the Committee on Finance and Taxation, in the order named.

And House Bill No. 213, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

Senator Wright asked unanimous consent of the Senate to take up and consider House Bill No. 31, out of its order.

Which was agreed to.

H. B. No. 31—A bill to be entitled An Act to abolish justice districts in Holmes County, Florida, and providing for a referendum.

Was taken up.

Senator Wright moved that the rules be waived and House Bill No. 31 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 31 was read the second time by title only.

Senator Wright moved that the rules be further waived and House Bill No. 31 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 31 was read the third time in full.

Upon the passage of House Bill No. 31 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So House Bill No. 31 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Wright asked unanimous consent of the Senate to take up and consider House Bill No. 201, out of its order.

Which was agreed to.

H. B. No. 201—A bill to be entitled An Act designating and establishing certain State roads in Walton and Bay Counties.

Was taken up.

Senator Wright moved that the rules be waived and House Bill No. 201 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 201 was read the second time by title only.

Senator Wright moved that the rules be further waived and House Bill No. 201 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 201 was read the third time in full.

Upon the passage of House Bill No. 201 the roll was called and the vote was:

Yeas—38.

Mr. President	Baker	Beall	Brackin
Ayers	Baynard	Boyle	Branch

Carroll	Gautier (13th)	McArthur	Sanchez
Clarke	Johns	Moore	Shands
Collins	Johnson	Morrow	Shivers
Crary	Johnston	Pearce	Smith
Davis	King	Pope	Tucker
Dayton	Leaird	Ripley	Wright
Franklin	Lewis	Rodgers	
Gautier (28th)	Lindler	Rogells	

Nays—None.

So House Bill No. 201 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers moved that Senate Bill No. 483 be withdrawn from the Committee on Public Roads and Highways and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

By unanimous consent Senator Shivers withdrew Senate Bill No. 483.

UNFINISHED BUSINESS

H. B. No. 26—A bill to be entitled An Act providing for the regulation, control, and supervision of certain privately owned electric and electric and gas public utilities by the Florida Railroad and Public Utilities Commission; defining such public utilities and prescribing their duties and responsibilities; prescribing the duties and powers of the commission with reference to the rates, service, securities and financing of said utilities; prescribing penalties for violations of this Act or any order, rate, rule or regulation of said commission; providing that the provisions of this Act shall neither apply to utilities owned or operated by cooperatives organized and existing under the Rural Electrification Cooperative Law of the State of Florida nor to utilities owned or operated by municipalities; nor to certain natural gas pipe line transmission companies; providing that this Act shall not affect certain rate litigation and refund proceedings; repealing all laws or parts of laws in conflict herewith; and providing the effective date of this Act.

Which was pending amendment at the hour of adjournment, having been read the second time by title only on Wednesday, April 25, 1951, was taken up.

The Committee on Public Utilities offered the following amendment to House Bill No. 26:

In Section 6, (typewritten bill) strike out the period at the end of the section and insert in lieu thereof the following: ; provided, however, that a rate order of a duly constituted local regulatory board or authority entered before April 3, 1951 shall be deemed to be the lawful rates charged and collected by the public utility subject to such regulatory body, and should such rate order be challenged and/or such challenge is pending before the courts of this State or the United States, such rate order shall continue in full force and effect until final determination of such litigation, or until changed by an order of the Commission, and the jurisdiction of said Board to continue said litigation, and said rates, shall continue until such final determination by the courts, and the Commission shall not interfere with the conduct of such litigation nor the jurisdiction of the Board.

Senator McArthur moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Utilities also offered the following amendment to House Bill No. 26:

In Section 9, lines 4 and 5 (typewritten bill) strike out the words: "but such testimony shall not be used against him in any criminal proceeding" and insert in lieu thereof the following: but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may have testified or produced documentary evidence provided that no person so testifying shall be exempted from prosecution or punishment for perjury in so testifying.

Senator McArthur moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Morrow offered the following amendment to House Bill No. 26:

In Section 11, line 2 (typewritten bill) after the word "municipalities" insert the following: "whether within or without any municipality".

Senator Morrow moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard offered the following amendment to House Bill No. 26:

Strike out Section 10 (typewritten bill) and insert in lieu thereof the following: Section 10. Any public utility or any person in interest dissatisfied with any order of the commission may have it reviewed by the Supreme Court by certiorari.

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to House Bill No. 26:

In (typewritten bill) insert the following as Section 3 and renumber the remaining sections of said bill: Section 3. The membership of the Florida Railroad and Public Utilities Commission shall be and the same is hereby increased from three (3) members to five (5) members, which two new members shall be elected from the State at large and for a term of four (4) years at the next general election to be held in 1952 in the same manner and under the same provisions and requirements of law as the present members of the Florida Railroad and Public Utilities Commission are now elected, and said members shall receive and draw the same compensation as is now or may hereafter be provided by law for members of said commission.

Senator Baynard moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Collins presiding.

Senator Baynard also offered the following amendment to House Bill No. 26.

In Section 12 (typewritten bill) strike out the following: "If any public utility, by any authorized officer, agent or employee, shall knowingly refuse to comply with or wilfully violate any provision of this Act or any lawful rate, rule or regulation, order, direction, demand or requirement prescribed by the commission hereunder", and insert in lieu thereof the following: If any public utility company shall by any officer, agent or employee be guilty of a violation or disregard of any rate, schedule, rule, regulation, order or requirement provided or prescribed by said commission, or shall otherwise violate any provision of this Act,

Senator Baynard moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

The President presiding.

Pending further amendment of House Bill No. 26, Senator Collins moved that the rules be waived and Senate Bills Nos. 404, 481, 451, 71, 418, 213, 212, 211, 224, 256 and Senate Joint Resolutions Nos. 106 and 220 be made a Special and Continuing Order of Business for consideration by the Senate when the Order of the Day is reached Tuesday, May 1, 1951.

Which was agreed to by a two-thirds vote and it was so ordered.

Pending further amendment of House Bill No. 26 and pursuant to House Concurrent Resolution No. 10, the Senate formed in processional order and marched in a body to the hall of the House of Representatives in the order of their services as Senators preceded by the President and the President Pro Tempore of the Senate, who were preceded by the Secretary of the Senate, the way being opened to the hall of the House of Representatives for the Senators by the Sergeant-at-Arms of the Senate.

Honorable B. Elliott, Speaker of the House of Representatives, received the President of the Senate on the rostrum

By direction of the Speaker, the Chief Clerk of the House of Representatives called the roll of the House of Representatives and the following members answered to their names:

Akridge	David	McAlpin	Rood
Andrews	Dekle	McFarland, E. B.	Rowell
Atkinson	Dowda	McFarlin, J. L.	Saunders, D. H.
Ayres	Dukes	McKendree	Saunders, S. D.
Bailey	Duncan	McKenzie	Shaffer
Beasley	Fascell	McLaren	Shepperd
Belser	Floyd	Melvin	Simpson
Bollinger	Fuqua	Merchant	Smith, Claude
Boyd	Griner	Mitts	Smith, Lisle W.
Bronson	Haley	Moody	Smith, M. B.
Bryant	Hammons	Morgan	Smith, S. C.
Burnsed	Hathaway	Murray	Stewart
Burton	Henderson	Nesmith	Summers
Burwell	Hendry	Okell	Surles
Campbell	Inman	Papy	Sweeny
Carlton	Jacobs	Patton	Tapper
Chambers	Jernigan	Payne	Tate
Cobb	Johnson	Pearce	Turlington
Conner	Jones	Peeples	Usina
Cook	Kirkland	Phillips	Watson
Courtney	Lancaster	Pittman	Webb
Cramer	MacWilliam	Putnal	Whitlock
Darby	Mathis	Roberts	Williams, F.

—92.

A quorum of the House of Representatives present.

The Speaker requested the President of the Senate to preside over the joint assembly.

The President in the chair.

By the direction of the President, the Secretary of the Senate called the roll of the Senate and the following Senators answered to their names:

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38.

A quorum of the Senate present.

The President declared the joint assembly duly constituted.

His Excellency Fuller Warren, Governor of Florida, accompanied by Honorable R. A. Gray, Secretary of State; Honorable Richard W. Ervin, Attorney General; Honorable Clarence M. Gay, Comptroller; Honorable J. Edwin Larson, Treasurer; Honorable Nathan Mayo, Commissioner of Agriculture; and Honorable Thomas D. Bailey, Superintendent of Public Instruction, constituting the Cabinet of the State of Florida, appeared in a body at the Bar of the House of Representatives and were received by the joint assembly standing.

Governor Warren was seated on the rostrum and the members of the Cabinet were seated immediately in front of the dais.

Mr. Henderson of Leon moved that a committee composed of three members of the Senate and three members of the House of Representatives be appointed to escort the Honorable Spessard L. Holland and the Honorable George Smathers, United States Senators from Florida, to the rostrum.

Which was agreed to.

And the President appointed Mr. Henderson of Leon, Bollinger of Palm Beach, and Bryant of Marion, on the part of the House of Representatives; and Senators Morrow, Pearce and Shivers on the part of the Senate, as the committee.

Senators Holland and Smathers were duly escorted to the

rostrum where they were graciously received, the joint assembly standing.

Senator Smathers was presented to the Body by the President and addressed the joint assembly.

Following the address by Senator Smathers, the President presented Senator Holland to the Body who in turn addressed the joint assembly.

Following the address of Senator Holland, Senator Gautier (13th) moved that the Senate do now repair to the Senate Chamber and resume its session.

Which was agreed to and it was so ordered.

The Senate returned to the Senate Chamber in processional order and resumed its session at 1:50 o'clock P. M.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38.

A quorum present.

Pending further amendment of House Bill No. 26, the hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:53 o'clock P. M. until 11:00 o'clock A. M., Friday, April 27, 1951.